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December 29, 1998

Magalie Roman Salas
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, DC 20554

RECEIVED

DEC 29 1998

Attention: Elizabeth Lyle

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: ENMR Telephone Cooperative, Inc., Texas RSA 3 Limited
Partnership, New Mexico RSA 6-II Partnership, and New Mexico
RSA 4 East Limited Partnership, Petition for Waiver Pursuant to
Section 20.18(c) of the Commission's Rules; CC Docket No. 94-102

Dear Ms. Salas:

Transmitted herewith, on behalf of ENMR Telephone Cooperative, Inc., Texas RSA 3 Limited Partnership, New Mexico RSA 6-II Partnership, and New Mexico RSA 4 East Limited Partnership, and pursuant to §1.3 of the Federal Communications Commission's ("Commission") rules, are an original and four copies of their Petition for Waiver of the December 31, 1998 deadline ending the suspension of enforcement of Section 20.18(c) of the Commission's rules, as that section relates to the transmission of 911 calls made from TTY devices using digital wireless systems. The petition contains a facsimile signature. The original signature will be filed with the Commission as soon as it is available.

Should you have any questions concerning this matter, please communicate directly with the undersigned.

Sincerely,



Michael R. Bennet

cc: Martin Liebman
Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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DEC 29 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Revision of the Commission's Rules) CC Docket No. 94-102
To Ensure Compatibility with)
Enhanced 911 Emergency)
Calling Systems)

To: Wireless Telecommunications Bureau

**ENMR Telephone Cooperative, Inc., Texas RSA 3 Limited Partnership, New Mexico RSA
6-II Partnership, and New Mexico 4 East Limited Partnership, Request for Waiver
of Section 20.18(c) of the Commission's Rules**

I. Introduction

ENMR Telephone Cooperative, Inc., Texas RSA 3 Limited Partnership, New Mexico RSA 6-II Partnership, and New Mexico 4 East Limited Partnership ("Licensees"), pursuant to § 1.3 of the Rules and regulations of the Federal Communications Commission ("FCC" or "Commission"),¹ hereby requests a limited waiver of the December 31, 1998 deadline ending the suspension of enforcement of Section 20.18(c) of the Commission's Rules, as that section relates to the transmission of 911 calls made from TTY devices using digital wireless systems as set forth in the Commission's November 13, 1998 *Order*.²

Licensees are small, rural cellular carriers operating in the New Mexico 2, New Mexico 4, New Mexico 6, Texas 3, Texas 12, Texas 13 and Texas 14 RSAs. Licensees' wireless networks are both digital and analog and their users have either analog phones or dual-mode

¹47 C.F.R. § 1.3 (1996).

²In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Order, RM-8143 (rel. November 13, 1998) ("*Order*").

analog/digital phones. All of Licensees' phones automatically transmit 911 data over the analog network. Accordingly, Licensees believe that they are in full compliance with Section 20.18(c). However, because Licensees are incapable of transmitting 911 calls made from TTY equipment over the digital portion of their networks (even though the analog capability on all of Licensees' phones renders such transmission unnecessary), Licensees, out of an abundance of caution, are requesting a waiver of Section 20.18(c).

II. Background

On November 13, 1998, the Wireless Telecommunications Bureau released an *Order* extending through December 31, 1998, the suspension of enforcement of Section 20.18(c) of the Commission's Rules regarding the transmission of 911 calls made from TTY devices using digital wireless systems. While the Commission recognized the difficulties the industry (represented by the Wireless TTY Forum) was experiencing in achieving TTY compatibility with digital systems, the Commission was also concerned about "the significant benefits the requirements established in Section 20.18(c) will provide to individuals who are deaf, hard-of-hearing, or who have speech disabilities" and pushed for an interim solution that included this waiver process in order to continue "the process of achieving carrier compliance."³ In the *Order*, the Commission established specific procedures under which wireless carriers subject to the requirements of Section 20.18(c) may petition the Commission for a waiver of those requirements. In accordance with these procedures, what follows are the steps Licensees are taking to provide users of TTY devices with the capability to operate such devices in conjunction with digital wireless phones.

³*Order* at p. 3.

III. Compliance Efforts

Licensees are currently working with their wireless switch manufacturer, Nortel, on a viable solution to digital 911 for TTY users. Unfortunately, for the time being, it is technically impossible for Licensees to offer TTY access to 911 over the digital wireless portion of their dual-mode systems until Nortel makes the appropriate equipment commercially available. While Nortel's equipment is capable of transmitting analog 911 calls, Nortel has yet to develop the equipment necessary to connect with digital wireless handsets and the 911 text message may be corrupted by the consumers' equipment.

Nortel's IS-95 CDMA air interface equipment, in the short term, is incapable of transmitting a 911 call with sufficient error-free text to elicit a proper emergency response. Nortel's IS-136 TDMA air interface equipment is also incapable, in the short term, of transmitting error-free text messages depending upon the type of vocoder used in the system, the type of text message, and the type of handset. In addition, Nortel maintains that industry standards to support TTY operation in digital mode are not currently defined. Nortel has informed Licensees that Nortel Networks is working with other equipment manufacturers to define the standards needed to make the digital service work. A timely compliance solution depends not only upon Nortel's equipment, but also the makers of TTY equipment. Unfortunately, the only impact Licensees have on this process is creating a demand for functional 911/TTY equipment.

Licensees have made quite clear to Nortel the importance of timely compliance with the FCC's rules. However, Nortel has informed Licensees that it may take as long as twelve to

eighteen months for a finished product that can accommodate digital TTY use.⁴ Licensees will continue to work with Nortel to develop a system that can work for Licensees' customers. Licensees will keep the Commission informed about their progress. If the equipment manufacturers could be more definite about their solutions, Licensees could provide the Commission with a more definite date when they will be capable of transmitting TTY signals over the digital portion of their networks.

In the meantime, Licensees' analog networks are fully capable of sending 911/TTY calls although, at the moment, Licensees have no TTY customers. Licensees will certainly inform any future TTY customers of their options concerning public safety network access over Licensees' networks.


Licensees are committed to the safety of their customers who are deaf, hard-of-hearing, or who have speech disabilities and will work with these customers to provide them with any technically feasible telecommunications features or information such as ANI or volume control that will allow these users to access the network. Nevertheless, Licensees are in the position of transporting and terminating the signal, not in the position of manufacturing the equipment that carries the signal or the end user equipment. Licensees appreciate the FCC's commitment to solving this industry-wide incompatibility as soon as possible and believes the deadline and subsequent waiver procedure will speed industry compliance. Licensees are aware of their obligation to file a submission every three months if they are unable to implement digital TTY capability and, if granted this waiver, will keep the FCC informed of the progress they have made with their equipment manufacturers toward making digital 911/TTY a reality.

⁴See *Order* at ¶ 5, footnote 4.

For the foregoing reasons, Licensees submit that the limited waiver requested is in the public interest.

Respectfully submitted,

ENMR Telephone Cooperative, Inc.
Texas RSA 3 Limited Partnership
New Mexico RSA 6-II Partnership
New Mexico RSA 4 East Limited Partnership

By 
Tom Phelps
Executive Vice President

December 29, 1998